1 2 3 4 5 UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON 6 7 NICHOLAS ANDRES FUENTES, III, NO: 2:15-CV-71-RMP 8 Plaintiff, ORDER ADOPTING REPORT AND 9 RECOMMENDATION AND v. **DISMISSING COMPLAINT** 10 DR. GILBERT ESCANDON, SGT. HILL, DR. CRISWELL KENNEDY, CHRISTY RAY, JOHN C. 11 MCGRATH, LYNETT BROWN and MENTAL HEALTH STAFF AN 12 COUNSLERS, 13 Defendants. 14 By Report and Recommendation filed May 12, 2015, Magistrate Judge 15 16 Hutton recommended that Plaintiff's complaint be dismissed without prejudice pursuant to his motion to voluntarily dismiss under Fed. R. Civ. P. 41(a). Mail 17 18 sent to Mr. Fuentes at the Spokane County Jail was returned as undeliverable, with the notation, "not in jail." Plaintiff has not kept the Court apprised of his current 19 20 address and has filed nothing further in this action.

ORDER ADOPTING REPORT AND RECOMMENDATION AND

DISMISSING COMPLAINT ~ 1

1	There being no objections, IT IS ORDERED that the Report and
2	Recommendation, ECF No. 10, is ADOPTED in its entirety, Plaintiff's Motion,
3	ECF No. 9, is GRANTED , and the Complaint, ECF No. 8, is DISMISSED
4	without prejudice.
5	Although granted the opportunity to do so, Plaintiff did not file a separate
6	Motion and Affidavit to waive the remaining balance of the filing fee as directed.
7	Therefore, Plaintiff still is obliged to pay the full filing fee for this action pursuant
8	to 28 U.S.C. § 1915(b).
9	IT IS SO ORDERED. The District Court Executive is directed to enter this
10	Order, enter judgment of dismissal without prejudice, forward a copy to Plaintiff a
11	his last known address, and close the file.
12	DATED this 26th day of May 2015.
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14	<u>s/Rosanna Malouf Peterson</u> ROSANNA MALOUF PETERSON
15	Chief United States District Court Judge
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	OPDED ADOPTING REPORT AND RECOMMENDATION AND

ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING COMPLAINT ~ 2